

REMARKS/ARGUMENTS

The Office Communication has been carefully considered. Before entry of this paper, the status of the application is as follows:

- Claims 1, 4-23, 26-31, and 35-39 in the application were appealed.
- The Board of Patent Appeals and Interferences ("BPAI") reversed the rejection of claims 5, 10-18, 22, 23, and 36-39.
- The BPAI sustained the rejection of claims 1, 4, 6-9, 19-21, 26-31, and 35.

In view of the above, Appellant respectfully requests entry of claims 5, 10-18, 22, 23, and 36-39, as amended herein.

1. Appellant thanks the Primary Examiner for a telephone discussion with Appellant's representative held on 14-Dec-04. As discussed, Appellant will add claims 22 and 23 to the list of claims to be amended per M.P.E.P. §1214.06(I)(B)(2). Appellant respectfully submits that this Amendment and Response is consistent with the discussion. No new matter has been added.
2. Appellant has rewritten claims 5, 10, 12, 17, 22, 23, and 36 in independent form. Since claims 11, 13-16, 18, 37, and 38 all depend directly or indirectly from one of the rewritten claims, they do not need to be rewritten in independent form.
3. Claim 39 is not required to be rewritten.

CONCLUSION

In view of the foregoing, and pursuant to the BPAI's decision, Appellant respectfully submits that the instant application is allowable with claims 5, 10-18, 22, 23, and 36-39, as amended herein. Appellant respectfully requests entry of this Amendment and Response and early favorable action by the Examiner.

The Examiner is cordially invited to contact Appellant's undersigned representative at the number listed below to discuss any outstanding issues.

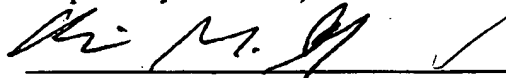
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Respectfully submitted,



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